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Attorneys for Defendant

Formosa Epitaxy, Inc.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BLUESTONE INNOVATIONS TEXAS,
L.L.C.,

Plaintiff,

v.

FORMOSA EPITAXY INC; et al.,

Defendants.

Case No. 3:12-cv-00059-JW

Honorable James Ware

**STIPULATION AND [PROPOSED]
ORDER RE DISMISSAL OF
DEFENDANT FORMOSA EPITAXY,
INC.**

1 Plaintiff Bluestone Innovations Texas, L.L.C. and Defendant Formosa Epitaxy, Inc. by
2 and through their undersigned counsel, and subject to the approval of the Court, hereby stipulate
3 that all claims between them in this action be dismissed without prejudice under Fed. R. Civ. P.
4 41(a) and pursuant to the terms of a confidential agreement, with each party to bear its own
5 costs, expenses and attorneys' fees.
6

7 IT IS SO STIPULATED.

8 August 22, 2012

9 NIRO, HALLER & NIRO
DAVIS WRIGHT TREMAINE LLP

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11 By: /s/ David J. Mahalek
DAVID J. MAHALEK
12 Attorney for Plaintiff
13 Bluestone Innovations Texas, L.L.C.

14 August 22, 2012

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16 By: /s/ Krista M. Carter
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17 Attorney for Formosa Epitaxy, Inc.
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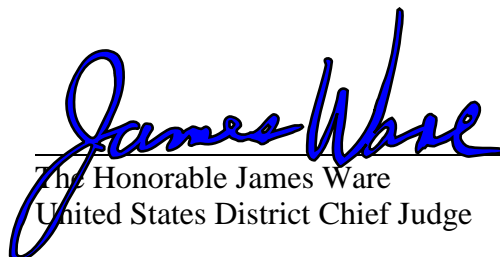
[PROPOSED] ORDER

Based on the foregoing Stipulation Re Dismissal of all claims asserted between Plaintiff Bluestone Innovations Texas, L.L.C. and Defendant Formosa Epitaxy, Inc. in this case, and good cause appearing,

IT IS HEREBY ORDERED that all claims asserted in this suit between Plaintiff Bluestone Innovations Texas, L.L.C. and Defendant Formosa Epitaxy, Inc. are hereby dismissed without prejudice under Fed. R. Civ. P. 41(a) and pursuant to the terms of a confidential agreement. It is further ORDERED that all costs, expenses and attorneys' fees are to be borne by the party that incurred them.

IT IS SO ORDERED.

Dated: August 22, 2012.



The Honorable James Ware
United States District Chief Judge